



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,281	05/15/2001	Takenori Kohda	JP920000095	1913

7590

04/14/2005

Robert P. Tassinari, Jr.
Intellectual Property Law Dept.
IBM Corporation
P.O. Box 218
Yorktown Heights, NY 10598

EXAMINER

BATURAY, ALICIA

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,281

Applicant(s)

KOHDA ET AL.

Examiner

Alicia Baturay

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/855,281.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed 10 January 2005.
2. Claims 1,7, 9, 12, and 16-18 were amended.
3. Claims 1-22 are pending in this Office Action.

Response to Amendment

4. The objection to the specification regarding the title was addressed and is withdrawn.
5. The objections to claims 1-19 are withdrawn.
6. The rejection of claims 1-4 and 9-11, 16-17, and 20-22 under 35 U.S.C. 101 are still standing, while the rejection of claims 5-8 was addressed and is withdrawn.
7. Applicants' arguments have been fully considered but they are not persuasive for the reasons set forth below.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 1-4 and 9-11, 16-17, and 20-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
10. The language of claims 1-4 raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would

result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

While claim 1 recites a “computer-based” user guidance method, there is nothing in claims 1-4 which explicitly indicates that a computer is performing any of the steps. This is further compounded by Applicants’ use of the word “permitting”, which merely means that the steps following “permitting” are not prevented from occurring, not that they are actually occurring.

11. While not explicitly stated in claim 5 or 7 that the steps are occurring in a computer system, the language of the claims is such that it appears unreasonable to interpret them as occurring anywhere but within a computer network. Therefore, claims 5-8 are not included in this rejection.

12. With respect to claim 9, none of the components of the “system” appear to be limited to hardware. It is noted that claim 9 includes the word “processor,” which would normally be interpreted as hardware; however, a review of Applicants’ specification, particularly the discussion on pages 5-6 raises a question as to whether this is the case. Specifically, the discussion is that a server can be used for the manager, generator and processor functions, which suggests that the manager, generator and processor are all software. Thus, absent recitation of the server or some other hardware, claim 9 is not limited to tangible embodiments, instead being sufficiently broad to encompass software, per se. Claims 10-11

Art Unit: 2155

fail to add any additional structure to the system, instead merely further limiting the intended use of the system. Thus, they fail to overcome the deficiencies of claim 9.

13. With respect to claims 16 and 17 recite an object control system, which is likewise essentially software per se. Applicants do not explicitly state that computer hardware is present anywhere in the system. While claim 16 recites a “computer-based” user guidance method, there is nothing in claims 16 or 17 which explicitly indicates that a computer is performing any of the steps.

14. With respect to claim 20, the language of the claim appears to be drawn to non-functional descriptive material. An “object” as recited in claim 20 is data, per se, lacking any functionality. Even if the object was amended to include functional code, claim 20 fails to tangibly embody the object, so it would still be non-statutory.

15. With respect to Claims 21 and 22, they recite “...said program permitting said computer to perform...” which is not substantially equivalent to the program being executed by a computer to cause the computer to perform the recited steps. Again, Applicants’ use of the word “permitting” raises a question as to what the claim actually requires. It is unclear what program is being stored and whether or not this program explicitly causes the computer to perform the steps in the claim.

Claim Rejections - 35 USC § 102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the Applicants for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the Applicants for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17. Claims 1-9, 11, 18, 19, 21, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Miles et al. (U.S. 6,102,406).

18. As to claim 1, Miles teaches a computer-based user guidance method comprising the steps of: permitting an object, that can be obtained by a user, to appear at a specific location of a specific site (Miles, col. 10, lines 45-49), moving the object (Miles, col. 10, line 64-col. 11, line 1), and a user who wishes to obtain the object is guided to predetermined content available at the site (Miles, col. 3, lines 35-38). A hyperlink is an object and therefore having the link appear at a different page after a previous page is accessed is inherently moving it.

19. As to claim 2, Miles discloses the invention substantially as described in claim 1, including waiting until object is obtained by users (Miles, col. 10, lines 45-49) and permitting the object, after it has been obtained by any of the users, to appear at a different location at a specific site (Miles, col. 10, line 64-col. 11, line 1).

Art Unit: 2155

20. As to claim 3, Miles discloses the invention substantially as described in claim 1, including providing information concerning the location of the object to the user (Miles, col. 10, lines 5-8).
21. As to claim 4, Miles discloses the invention substantially as described in claim 1, including moving the object along a predetermined route and consequently the user is guided through predetermined content in accordance with a specific order (Miles, col. 4, lines 48-57).
22. As to claim 5, Miles discloses the invention substantially as described in claim 1, including permitting the object to appear at specific locations at multiple sites across a network and moving the object across this network (Miles, col. 3, lines 26-31).
23. As to claim 6, Miles discloses the invention substantially as described in claim 5, including moving an object along a predetermined route across multiple sites on a network and consequently the user is guided through predetermined content in accordance with a specific order (Miles, col. 10, line 64-col. 11, line 2). In order for the participant to be presented with the next clue, he must submit the correct answer to the current question, so a predetermined order is inherent.
24. As to claim 7, Miles discloses a computer-based content advertising method (Miles, col. 1, lines 6-7) comprising: permitting an object, that can be obtained by a user, to appear on a network that multiple users can browse and moving the object when a predetermined user browses its contents to contents multiple users can browse (Miles, col. 12, line 66-col. 13,

Art Unit: 2155

line 5), and where the user who desires to obtain the object is guided to browse network contents (Miles, col. 10, lines 24-27).

25. As to claim 8, Miles discloses the invention substantially as described in claim 7, including at the step of moving the object through contents multiple users wish to browse (Miles, col. 12, line 66-col. 13, line 5).

26. As to claim 9, Miles discloses a computer-based user guidance system comprising: an object manager for managing the location of an object on a network (Miles, col. 13, lines 36-46), a position information generator for generating information concerning the location of the object and for providing information to a user (Miles, col. 10, lines 5-8), a processor for performing a predetermined process when the object is selected by a predetermined user (Miles, col. 11, lines 1-5), and the object manager arranges the object at a desired location in order to guide the user to the desired contents on the network (Miles, col. 10, lines 14-49).

27. As to claim 11, Miles discloses the invention substantially as described in claim 9, including a processor transmitting a notification that the object has been selected by a predetermined user to the object manager that managers information about a specific user (Miles, Fig. 5, element 32), and all others who select the object are not regarded as having selected the object (Miles, col. 12, lines 30-35).

28. As to claim 18, Miles discloses a computer-based object control system comprising: an object stored in a predetermined server (Miles, Fig. 5, element 36), a link setting means for setting a link in a web page stored at a web site on the network in order to move the object (Miles, col. 10, lines 45-49), object position management means for determining a page for setting a link (Miles, col. 13, lines 38-46) where the object position management means controls the link setting means to change a target web page for setting a link (Miles, Fig. 5, element 36).

29. As to claim 19, Miles discloses the invention substantially, as described in claim 18, including the object position manager defining a target web page to which the link to is to be set and changing the target web page when the predetermined user browses the web pages (Miles, col. 10, lines 45-49; col. 10, line 64-col. 11, line 1).

30. As to claim 21, Miles discloses a storage medium on which input means of a computer stores a program in an input-enabled form (Miles, col. 5, lines 42-49) where the program permits a computer to perform: a process for permitting a specific object to appear on a specific web page stored on a specific server (Miles, col. 10, lines 45-49), and a process for moving an object to another page when a user browses the specific web site and selects the object (Miles, col. 10, line 64-col. 1, line 1).

31. As to claim 22, Miles discloses a program transmission apparatus comprising: a storage means for storing a program permitting a computer to perform (Miles, col. 5, lines 42-49), a

Art Unit: 2155

process for permitting a specific object to appear on a web page stored on the web server (Miles, col. 10, lines 45-49), and a process for moving an object to another page when a user browses the specific web site and selects the object (Miles, col. 10, line 64-col. 1, line 1), and transmission means for reading the program from the storage means and for transmitting the program (Miles, col. 5, lines 42-49).

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 10, 12-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miles and further in view of Underwood (U.S. 6,523,027).

34. As to claim 10, Miles discloses the invention substantially, as described in claim 9, including a processor transmitting a notification that the object has been selected (Miles, col. 11, lines 1-5), but does not teach the deleting and positioning of another object. However, Underwood teaches the deletion and creation of another object by the object manager (Underwood, col. 55, lines 43-45). It would have been obvious to combine the teachings of Miles and Underwood to facilitate the integration of the database with the main server (Underwood, col. 10, lines 32-36).

35. As to claim 12, Miles discloses a computer-based object control system comprising: of web servers (Miles, Fig. 3, element 26), a main server for communicating with a predetermined web server (Miles, Fig. 3, element 20), but does not teach a main server adding or deleting an object from a web page. However, Underwood teaches the main server permitting an object to appear in a first specific webpage and to be deleted from a second specific web page (Underwood, col. 55, lines 43-45) stored in the web server (col. 2, lines 18-19; Fig. 33). It would have been obvious to combine the teachings of Miles and Underwood to facilitate the integration of the database with the main server (Underwood, col. 10, lines 32-36).

36. As to claim 13, Miles discloses the main server detecting that user has selected the object (Miles, col. 11, lines 1-5), but does not teach deleting and moving an object to another page. However, Underwood teaches deleting and adding an object (Underwood, col. 55, lines 43-45) to another web page (Underwood, col. 2, lines 18-19). It would have been obvious to combine the teachings of Miles and Underwood to facilitate the integration of the third party advertiser sites with the main server (Underwood, col. 10, lines 32-36).

37. As to claim 14, Miles-Underwood discloses the invention substantially, as described in claim 12, including the main server providing information concerning the location of the object to the user (Miles, col. 10, lines 5-8).

Art Unit: 2155

38. As to claim 15, Miles-Underwood discloses the invention substantially, as described in claim 14, including providing information concerning the ease of locating the object from the web page browsed by the user (Miles, col. 15, lines 59-61).

39. As to claim 16, Miles discloses a computer-based object control system comprising: an object managing means for managing the location of the object on the network and where the object management means changes the location of the object on the network to move it across the network (Miles, col. 13, lines 36-46), but does not teach an embedded object on a web page. However, Underwood does teach an object to be embedded in a web page stored at a web page on a network (Underwood, col. 130, lines 59-62). An embedded object is usually one that is created using a program that is outside the one in which the object currently resides. It would have been obvious to combine the teachings of Miles and Underwood to include the use of objects created outside of a web page file, such as embedded pictures (Underwood, col. 321, lines 18-19).

40. As to claim 17, Miles-Underwood discloses the invention substantially, as described in claim 16, including the object management means correlating the location of the object with a web page browsed by a predetermined user and changes the location of the object when the web pages are browsed by the user (Miles, col. 10, line 64-col. 11, line 1).

41. As to claim 20, Miles discloses an object stored at a web site on a network and the object's location on the network is managed by management means which move it from one

Art Unit: 2155

predetermined web page to another (Miles, col. 14, lines 31-34 and 63-66), but does not teach an object embedded in a web page. However, Underwood teaches an object which is embedded in a web page (Underwood, col. 130, lines 59-62). An embedded object is usually one that is created using a program that is outside the one in which the object currently resides. It would have been obvious to combine the teachings of Miles and Underwood to include the use of objects created outside of a web page file, such as embedded pictures (Underwood, col. 321, lines 18-19).

Response to Arguments

42. Applicants' arguments filed 10 January 2005 have been fully considered but they are not persuasive.

43. ***Applicants Argue:*** With respect to claims 1, 7, 9, 12, 16 and 18, Applicants state the claims have been amended "to more clearly recite statutory subject matter."

44. ***In response:*** The examiner respectfully submits that while claim 1 recites a "computer-based" method or system respectively, there is nothing in claim 1 which explicitly indicates that a computer is performing any of the steps. However, while not explicitly stated in claims 7, 12, and 18 that the steps are occurring in a computer system, the language of the claims is such that it appears unreasonable to interpret them as occurring anywhere but within a computer network. Therefore, the rejection of claims 7, 12, and 18 are not included in this rejection. With respect to claim 9, none of the components of the "system" appear to be limited to hardware. It is noted that claim 9 includes the word "processor," which would normally be interpreted as hardware; however, a review of Applicants' specification, particularly the discussion on pages 5-6 raises a question as to whether this is the case. Specifically, the discussion is that a server can be used for the manager, generator and processor functions, which suggests that the manager, generator and processor are all software. Thus, absent recitation of the server or some other hardware, claim 9 is not limited to tangible embodiments, instead being sufficiently broad to encompass software, per se. With respect to claim 16, it recites an object control system, which is likewise essentially

Art Unit: 2155

software per se. Applicants do not explicitly state that computer hardware is present anywhere in the system. While claim 16 recites a “computer-based” user guidance method, there is nothing in claim 16 which explicitly indicates that a computer is performing any of the steps.

45. ***Applicants Argue:*** With respect to claim 20, Applicants state that it “recites an object embedded in a web page stored at a web site on a network and Applicants assert that in claim 20 a clear structure is provided that is tied to a technological art.”

In response: The examiner respectfully submits that the claim is drawn to a technological art, however with respect to claim 20, the language of the claim appears to be drawn to non-functional descriptive material. An “object” as recited in claim 20 is data, per se, lacking any functionality. Even if the object was amended to include functional code, claim 20 fails to tangibly embody the object, so it would still be non-statutory.

46. ***Applicants Argue:*** With respect to claim 21, Applicants state that it “recites a storage medium on which input means of [a] computer stores a program in an input-enabled form. Applicants assert that a program permitting the computer to perform certain functions as provided in claim 21, clearly recites statutory subject matter.” Additionally, Applicant states that claim 22 “recites a program transmission apparatus comprising storage means for storing a program that permits a computer to perform certain functions. Applicants assert that in claim 22 a clear structure is provided that is tied to a technological art.”

Art Unit: 2155

In response: With respect to Claims 21 and 22, they recite "...said program permitting said computer to perform..." which is not substantially equivalent to the program being executed by a computer to cause the computer to perform the recited steps. Again, Applicants' use of the word "permitting" raises a question as to what the claim actually requires. It is unclear what program is being stored and whether or not this program explicitly causes the computer to perform the steps in the claim.

47. ***Applicants Argue:*** With respect to claims 1, 7, 16, 18, and 21, Applicants state that the Miles reference "fail to disclose the moving of the object," in regards to aforementioned moving of the object Miles "does not contain the disclosure which is necessary to support a claim rejection on the basis of inherency," and "fails to disclose an object that is desired to be obtained by a user."

In response: The examiner respectfully submits that Miles outlines a process in which a user is guided through predetermined web sites in order to obtain an object (a hyperlink, which could be a hyperlinked picture or hyperlinked icon, as discussed in Miles, col. 10, lines 45-49) that appears on a specific web site.

As Applicants have discussed, Miles discloses an Internet scavenger hunt in which a user logs onto a game homepage and is presented with an introductory question/clue set for a game and has to find the target web page the clue leads to. After the user finds this predetermined site, he will see a particular hyperlink on that site leading back to the game

homepage, clicking this hyperlink leads him back to the game homepage to enter the answer to the question. If the answer the user gives is correct, he is given a new answer/clue set from the game homepage which eventually leads the user a different web site that has the same hyperlink on it that returns him back to the game homepage. This process of being given clues, finding the target web page, and clicking on the hyperlink object on the target page to return to the game site repeats until the treasure hunt is completed (Miles, col. 10, line 14 – col. 11, line 5).

As the user makes his way through the various clues and corresponding target web pages, he perceives the hyperlink object as moving to a different target page for the answer to each clue. For example, the clue Miles discusses is one where the target web page is an Amazon.com web page with particular book information on it (Miles, col. 10, lines 14-18). The hyperlink object appears on this specific page. Once the user answers the clue correctly, the user is given another clue in which the answer and same hyperlink object can be found on a different web page. In this way, the hyperlink object appears to be moving to a user as he progresses through the scavenger hunt game.

48. ***Applicants Argue:*** With respect to claim 9, Applicants state “Miles fails to disclose that the object manager arranges the object at a desired location to guide the user to the desired contents on the network...The object, or hyperlink, in Miles does not guide the user to the desired content on the network.”

In response: The examiner respectfully submits that a database which contains information about where at least the first game question/clue set can be found and fields for the correct referring URLs (Miles, col. 13, lines 36-46) is akin to an object manager as it manages the links, which are types of objects. In providing information about where the first game question/clue set can be found, the user visits the intended web sites (Miles, col. 4, 48-57) and by incorporating the database not accepting a submission of an answer unless it is from the correct referring URL, Miles shows guiding the user to specific advertisers' sites.

49. ***Applicants Argue:*** With respect to claim 12, Applicants state "The combination of Miles and Underwood fails to disclose a main server that manages the moving of an object. The combination also fails to disclose the movement of an object from one web page to another web page by permitting the object to appear in a first web page and to be deleted from a second web page."

In response: The examiner respectfully submits that Miles discusses a server (Miles, col. 9, lines 5-10) that contains the database (Miles, col. 10, lines 5-8) that manages the moving of the object, which is discussed above in the responses to claims 1 and 9. Thus Miles teaches a main server moving an object. Miles also discusses a specific object appearing in a first specific web page, as an example a hyperlink on a page of the Amazon.com site (Miles, col. 10, lines 45-49). Underwood discusses an e-commerce architecture that provides a connected interface between a first and second server, which is similar to the connection shown and discussed in Miles' Fig. 3, elements 20 and 26. Miles states that usually advertiser sites are

Art Unit: 2155

hosted on resources other than the main server (Miles, col. 9, lines 19-22), and therefore a connection between the two must occur in order to allow users to follow the given clues. Underwood teaches deletion of an object from a database, which would be similar to deletion of a link from the server on the database on the main server and thus the webpage that link appeared upon.

50. ***Applicants Argue:*** With respect to claim 20, Applicants state “The combination of Miles and Underwood fails to disclose an object that moves from a predetermined web page to another web page.”

In response: The examiner respectfully submits that the limitations are discussed above for claims 1 and 9.

51. ***Applicants Argue:*** With respect to claims 12, 16, and 20, “There is clear lack of motivation to combine the references.”

In response: In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941

(Fed. Cir. 1992). In this case, Underwood discusses an e-commerce architecture that provides a connected interface between a first and second server, which is similar to the connection shown and discussed in Miles' Fig. 3, elements 20 and 26. Miles states that usually advertiser sites are hosted on resources other than the main server (Miles, col. 9, lines 19-22), and therefore a connection between the two must occur in order to allow users to follow the given clues. Therefore, the motivation stands as it would have been obvious to combine the teachings of Miles and Underwood to facilitate the integration of third party advertiser sites with the main server (Underwood, col. 10, lines 32-36).

Conclusion

52. **THIS ACTION IS MADE FINAL.** Applicants is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

53. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
April 12, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER